

REMARKS

Claims 1-5 [sic, 1-15], 17-20, 24 and 25 were rejected as being obvious over Murai in view of Mallory, Sawada, Lee and Hofmeister. This rejection is respectfully traversed.

To use the Examiner's own words, "Murai et al'[s] film has *high transparency* (Col. 6, lines 24-25)." Page 3, line 5 of the Action of January 31, 2006; emphasis added. Murai's film has an optical density of close to zero as explained in the Declaration of Mr. Keunsuk P. Chang, filed April 28, 2006. This fact would have been well-known to persons of ordinary skill in the art who would immediately have recognized that as the measurement of optical density is based logarithmically on the amount of light transmittance through the sample in accordance with Equation (1) below, a "high transparency" film like Murai's transmits almost 100% light of the light incident on it, and therefore has close to zero optical density:

$$\text{Optical Density} = \log_{10} \left( \frac{\text{Incident light}}{\text{Transmitted light}} \right) = \log_{10} \left( \frac{100\%}{\text{Light Transmission \%}} \right) \quad (1)$$

Now the Examiner relies on Mallory for teaching a metallized film having an optical density of from about 1.5 to 3.0. If Murai's high transparency film having zero optical density were modified such that the optical density was in the range of 1.5 to 3.0 like Mallory's, then the light transmission of Murai's film would change from being nearly 100% down to a range from about 3% (optical density of 1.5) to 0.1% (optical density of 3.0) in accordance with Equation (1) above. No person of ordinary skill in the art would have viewed Mallory's film as being "highly transparent" and thus would not have seen that Mallory's film could (or should) be substituted for Murai's. This drastic reduction in light transmission would make Murai's film unsatisfactory for its intended purpose, which is "high transparency" in the Examiner's own words, by transforming Murai's high transparency film into a substantially opaque film. "If a proposed modification would render the

prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification.” MPEP 2143.02 citing *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984).

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